

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	James A. Parker	Art Unit:	:	2144
Serial No.	:	09/915,719	Examiner:	:	Maniwang, Joseph R.
Filing Date	:	July 25, 2001			
Title	:	Electronic Mail File Access System			

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INTERVIEW REPORT

Dear Sir:

Following assignee's filing of a Request for Pre-Appeal Brief Conference and Petition (to reconsider entry of the amendments and remarks in assignee's Response to Final Office Action dated May 10th), Examiner Maniwang and SPE Vaughn conducted a telephone interview with the undersigned representative of assignee on July 20th and indicated that they had reviewed the case further and had a few suggestions for a few additional clarifying changes to the claim language that would result in allowance of most of the claims, when combined with the changes substantially as proposed in assignee's May 10th response. The Office representatives indicated that, if the further changes were proposed, they would be willing to enter all but one of the previously proposed amendments (the exception being the word "tangible" in claim 53) or revisions of similar import.

The Office representatives further stated that (despite the Examiner having not noticed that issue before) the issues in claims 29 and 49 differed from those with respect to the other claims, because those two independent claims were directed to an independent and distinct invention, and pursuing those claims further in this case would cause serious burden for the Examiner. The Office representatives suggested, therefore, that if the application is reopened for prosecution as a result of assignee's Request for Pre-Appeal Brief Conference, the Examiner would be inclined to enter a restriction requirement between, on the one hand, claims 29 and 49 and the claims dependent thereon, and, on the other hand, all other claims.

Assignee's representative stated that, if such a restriction requirement were entered, assignee would elect the remaining claims and authorize the Examiner to cancel claims 29 and 49 and their dependent claims.

Assignee expressed willingness to amend the remaining claims as suggested, and the Office representatives requested that the undersigned include in this Interview Report a list of claims with proposed amendments, to record the specifics of the discussion. Assignee has done so, and the result appears on the following pages.

Assignee would authorize entry of an Examiner's Amendment with the changes indicated in this paper, if such would achieve allowance of the listed claims. Also, if changes as indicated here are entered and the claims amended allowed, assignee would agree that the petition could be dismissed as moot (or, subject to the same conditions, if the Office prefers, assignee would be willing to withdraw the petition upon request).

In the interview, the Office representatives advised that the changes below to claims 15, 16, 22, and 50 would place those claims in condition for allowance and further agreed that similar changes could also result in allowance of claim 25.

Assignee agreed to cancel claim 26, to reduce the number of issues, and to propose a further amendment to claim 53, which the Examiner committed to consider. The undersigned recognizes that the Examiner has not agreed that the below changes to claim 53 would place that claim in condition for allowance, but the Examiner agreed to review the new proposal, and the parties to the interview had a helpful exchange of views concerning the Office's revised Interim Guidelines.

As the undersigned reminded the Examiner in the interview, the intent with respect to claim 53 is to avoid any issues with respect to propagated signal claims, given the currently unsettled state of law on that issue, and instead to present a claim that is clearly within both the Office's current Interim Guidelines and the words of 35 U.S.C. §101. The claim as now proposed to be amended relies on paragraph [0047] of the specification, which refers to signals passing through the Internet.

Assignee argued in the July 20th interview, and requests that the Examiner appreciate, that claim 53 is directed to tangible equipment (a computer) in which a signal resides (temporarily), and the signal has functionality when applied to

appropriately configured destination equipment. Such a claim arrangement is statutory and is parallel to *Beauregard* claims, which are directed to programs (signals) resident in a computer or on a computer disk and which are understood as statutory.

With respect to claim 25, in the July 20th interview, the parties discussed the possibility of splitting part (c) of that claim between viewing and editing. In a follow-on interview by telephone today, the undersigned and Examiner Maniwang discussed claim 25 a bit further.

Assignee's representative pointed out today that the claim specifies that the "indicia" in part (c) are outside the "message recipient field," which distinguishes Yamaguchi without need for splitting the claim part as contemplated Friday. Assignee's representative argued that, even if a user of Yamaguchi's system happened to insert a particular recipient in both the "to" and "cc" fields (which Yamaguchi does not teach and for which there would be no purpose), the duplicative entry in Yamaguchi's "cc" field would not qualify as the "indicia" claimed in part (c) because it would not designate whether or not the recipient listed in the "to" field had privileges, nor would its inclusion or absence alter the privileges available to a recipient listed in the "to" field. The Examiner agreed conditioned on reviewing Yamaguchi again.

The Examiner noted that the "indicia" in part (c) need not be contained in a "field." Assignee's representative agreed and advised the Examiner that he had intended to propose that the indicia be at a "location" in the message outside the message recipient field. That approach is taken below. (That wording differs from the proposal in the un-entered May 10th amendment.)

The Examiner inquired whether the claim, in part (c), should be interpreted to require indicia identifying *both* viewing and editing, or whether *either* viewing or editing was enough, in view of the use of the word "or." The undersigned promised to consider language changes to make explicit the answer to that interpretation question. In response, assignee voluntarily proposes expanding and rewording part (c) to clarify that the indicia (whether consisting of one or two parts, *see, e.g.,* "radio" buttons in Fig. 5, which show an example of indicia separated between viewing and editing) have the capacity of identifying whether a recipient has viewing privileges and whether a

recipient has editing privileges – note, however, that (1) a *particular* recipient may have one or the other privilege type, (2) if desired, as denoted by numeral 522 in the specific embodiment of Fig. 5, the system optionally may be configured to allow a recipient to have *neither* type of privilege, and (3) a recipient with editing privileges by definition also has viewing privileges. The proposal is not needed to overcome any proposed rejection, because the art of record allows either choice, and because no other type of rejection was contemplated or discussed.

If the Office agrees to enter the amendments indexed below, the following claims should be allowed: Claims 1-25, 44-48, and (if approved) 53-54.

Assignee authorizes the Examiner to amend the following claims by Examiner's Amendment in the following way. All claims are not presented below, because this listing is merely a record submitted as part of an Interview Report:

Claim 15 A system for managing access, via an electronic message, to a file maintained within a first domain, the system comprising:

(a) means for accepting, into a first field of the message, indicia identifying addresses of one or more recipients of the message and, accepting, into a second and third field, indicia designating each recipient as having viewing or editing privileges of the file, respectively; and

(b) means for transmitting the electronic message to the recipients within one or more domains distinct from the first domain such that, without transferring the file out of the first domain with the electronic message:

(1) any recipients designated as file viewers and recipients designated as file editors can access the file; and

(2) any recipients designated as file editors can modify the file.

Claim 16 A method for modifying operation of an electronic message program that, during normal operation, (1) displays a message window including a message recipient field and a file identification field and (2) generates an electronic message for transmission to one or more persons, the method comprising:

(a) causing the electronic message program to display a the message window that, further to the message recipient field, also includes a file viewer field and a file editor field; and

(b) causing the electronic message program to accept user input, into an electronic message formed using the message window, of indicia of addresses, and (i) for any addresses inputted into the file viewer field, generating authorization data signifying viewing privileges for a file identified in the file identification field, and (ii) for any addresses inputted into the file editor field editing privileges for the file.

Claim 22 A data storage medium comprising indicia of instructions for a processor to perform a method for modifying operation of an electronic message program that, during normal operation, (1) displays a message window including a message recipient field and a file identification field and (2) generates an electronic message for transmission to one or more persons, the method comprising:

(a) causing the electronic message program to display a the message window that, further to the message recipient field, also includes a file viewer field and a file editor field; and

(b) causing the electronic message program to accept user input, into an electronic message formed using the message window, of indicia of addresses, and (i) for any addresses inputted into the file viewer field, generating authorization data signifying viewing privileges for a file identified in the file identification field, and (ii) for any addresses inputted into the file editor field, generating authorization data signifying editing privileges for the file.

Claim 25 An electronic message system comprising an electronic message program that, during normal operation:

(a) displays a message window including a message recipient field and a file identification field;

(b) generates an electronic message for transmission to one or more addresses entered into the message recipient field;

(c) includes, in a location in the electronic message separate from the message recipient field, indicia designating whether addresses entered into the message recipient field ~~as~~ are associated with message recipients having viewing ~~or editing~~ privileges of a file entered into the file identification field and whether such addresses are associated with message recipients having editing privileges; and

(d) stores authorization data, in a format and location suitable for controlling access to the file, corresponding to the indicia and signifying the identity of message recipients having viewing ~~or editing~~ privileges for the file and the identity of message recipients having editing privileges for the file.

Claim 26 (Cancel)

Claim 27 (Cancel)

Claim 50 The data storage medium of claim 49 further comprising indicia of instructions for a processor to perform a method for modifying operation of an electronic message program that, during normal operation, (1) displays a message window including a message recipient field and a file identification field and (2) generates an electronic message for transmission to one or more persons, the method comprising:

(a) causing the message window displayed by the electronic message program to ~~further~~ include, in addition to the message recipient field, a file viewer field and a file editor field; and

(b) causing the electronic message program to accept user input, into an electronic message formed using the message window, of indicia of addresses, and (i) for any addresses ~~inputted into~~ identified in the file viewer field, generating authorization data signifying viewing privileges for a file identified in the file identification field, and (ii) for any addresses ~~inputted into~~ identified in the file editor field, generating authorization data signifying editing privileges for the file.

Claim 53 An apparatus comprising: (1) an Internet computer along a transmission medium path between a source computer and a destination computer forming at least part of a on the Internet computer network; and (2) a data stream ~~in the transmission medium of the network~~ in transit through the Internet computer, the data stream encoding data arranged in a plurality of data frames and comprising:

- (a) header data identifying a the destination computer to which the ~~signal data stream~~ is directed;
- (b) data, in a first frame, encoding the body of an email message displayable by the destination computer, ~~if properly programmed~~;
- (c) data, in a second frame, identifying to the destination computer, ~~if properly programmed~~, a computer-readable file at a defined location in a the computer network;
- (d) data, in a third frame, identifying to the destination computer, ~~if properly programmed~~, whether, if a user at the destination computer makes a request to view the file identified by data in the second frame at the defined location, a computer controlling access to the file will permit access to the file and display of the file at the destination computer; and
- (e) data, in a fourth frame, identifying to the destination computer, ~~if properly programmed~~, whether, if a user at the destination computer makes a request to modify the file identified by data in the second frame at the defined location, a computer controlling access to the file will permit access to the file, display of the file at the destination computer, and modification of the file through commands issued from the destination computer.

Assignee and the undersigned thank the Office for its further consideration and respectfully request prompt movement toward allowance. If any further questions or issues arise, the undersigned invites the Examiner to call.

TACIT NETWORKS, INC.

by its attorney

Dated: July 24, 2007

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